

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:06 CR 134 CDP
)	
MICHAEL MEADOR,)	
)	
Defendant.)	

MICHAEL MEADOR,)	
)	
Movant,)	
)	
vs.)	Case No. 1:12 CV 36 CDP
)	Case No. 1:16 CV 164 CDP
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

Michael Meador has filed letters and motions in his various closed criminal and civil cases. He seeks appointment of counsel and other relief, arguing that he should benefit from recent Supreme Court cases. Meador is not entitled to any further relief, under any of the authorities or arguments he cites, and I will deny the motions.

Michael Meador is currently incarcerated at the United States Penitentiary in Pine Knot, Kentucky. Meador was convicted on three counts related to a marijuana conspiracy and his involvement in the murder of Sergio Burgos. Case No. 1:06CR134CDP. Meador was sentenced to life imprisonment, and his conviction and sentence were affirmed on an appeal consolidated with that of one of his co-defendants. *United States v. Dinwiddie*, 618 F.3d 821 (8th Cir. 2010). His petition for certiorari was denied by the United States Supreme Court. *Meador v. United States*, 131 S. Ct. 1547 (2011).

Meador then filed his first motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255, which was denied. Case No. 1:12CV36CDP. He filed a motion “to alter or amend,” purportedly under Rule 59(e), Fed. R. Civ. P., and then filed several “supplements” to that motion, including one purporting to be brought under Rule 12(b)(3)(B), Fed. R. Civ. P. I denied those motions. When Meador appealed, the Court of Appeals denied a certificate of appealability and dismissed the appeal. *Meador v. United States*, Case No. 15-2297 (8th Cir. Dec. 2, 2015). When Meador filed another notice of appeal, the Court of Appeals entered its judgment dismissing that appeal. Case No. 16-1160 (8th Cir. Jan. 28, 2016). He then filed another motion in this Court, this one purporting to be filed under Rule 60(b), and arguing, among other things, that “due to the Movant’s brain damage that causes him to be gullible, easily influenced, and have an unreasonable desire

to please others, it makes him a danger to his community.” (ECF # 61, page 4, in Case No. 1:12CV36 CDP).

He filed a second § 2255 motion, seeking relief under *Johnson v. United States*, 135 S.Ct. 2551 (2015), which the District Court denied as successive and because he had not sought permission from the Court of Appeals to file a successive habeas. Case No. 1:16CV164 CDP. He did not appeal that decision, but he has filed a letter arguing that it was incorrectly decided.

I will not recite the facts of Meador’s case, as they have been set out extensively by the Court of Appeals and in my previous orders denying Meador’s § 2255 motions. There is no doubt that Meador was guilty of the crimes of which he was convicted and that his sentence was proper. As detailed more completely in previous orders, including in my lengthy Order and Memorandum denying his first § 2255 motion (ECF # 25, Case No. 1:12CV36CDP), the evidence against him was overwhelming. His own testimony at trial and post-arrest his recorded statements showed that he was entirely competent, guilty of the crimes, and very manipulative.¹

Meador most recently again seeks appointment of counsel and argues that the Court’s prior decisions were incorrect, that he should not have been convicted of these crimes because of recent developments in the law regarding the Armed

¹ The Court does not take issue with his claim that he is a danger to the community.

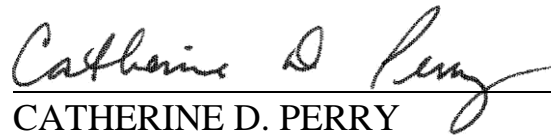
Career Criminal Act (of which he was neither charged nor convicted), and, in his most recent filing, because, he has “brain damage” and has “been learning disabled my whole life!” He also says he is “deaf due to a prison issue.” (ECF # 739 in Case No. 1:06CR134 CDP).

Meador’s recent filings do not change anything. His trial, conviction, and sentence were proper. He has no further remedies available, and all of his recent filings are without merit. I will deny the motions, as they are legally frivolous.

Accordingly,

IT IS HEREBY ORDERED that Michael Meador’s pending motions in all three cases are denied.

IT IS FURTHER ORDERED that that this Court will not issue a certificate of appealability, as Meador has not made a substantial showing of the denial of any federal constitutional rights.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 19th day of June, 2018.